

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1-33. (Canceled)

34. (Currently Amended) A method of delivering energy to ablate tissue, comprising the steps of:

providing a device having an ablating element;
positioning the device at an epicardial tissue site, the tissue site having an epicardial near surface and an endocardial far surface;
heating or cooling the tissue site with a first, non-ablating quantity of energy;
measuring a temperature change at the tissue site over a period of time;
analyzing the temperature change to determine a ~~tissue characterization~~
temperature response of the tissue;
characterizing the tissue based on the temperature response of the tissue,
temperature responses of other known tissue types and the input of at least one
variable from a list of variables consisting of presence of fat, amount of fat, flow rate of
blood, tissue thickness and temperature of blood;
determining an ablation time interval and temperature to be delivered by the
ablating element based on the tissue characterization; and
ablating the tissue with a second quantity of energy as directed by the
determining step. ~~, the ablating step being carried out with input of at least one variable~~
~~from a list of variables consisting of presence of fat, amount of fat, flow rate of blood,~~
~~tissue thickness and temperature of blood.~~

35. (Previously presented) The method of claim 34, wherein:

the analyzing and ablating steps are controlled by a control system; and
the ablating step being carried out by maintaining the epicardial near surface temperature at a temperature of 0-80°C during the ablating step.

36. (Original) The method of claim 34, wherein:
the providing step is carried out with the device having an ablating element; and
the method also including the step of changing the temperature of the tissue with
the ablating element; and
the ablating step is carried out with the ablating element.

37. (Canceled)

38. (Original) The method of claim 34, wherein:
the ablating step is carried out using the results of the measuring step to
approximate when the far surface achieves a target temperature.

39. Canceled

40. (Original) The method of claim 34, wherein:
the ablating step is carried out with a plurality of ablating elements, wherein no
more than 50% of the ablating elements are activated at one time.

41. (Original) The method of claim 34, wherein:
the providing step is carried out with the device having a plurality of suction wells,
at least one of the ablating elements being positioned in each of the suction wells.

Claims 42-67 Canceled

68. (New) A method of delivering energy to ablate tissue, comprising the steps of:
providing a device having an ablating element;
positioning the device at an epicardial tissue site, the tissue site having an
epicardial near surface and an endocardial far surface;
applying a first, non-ablating quantity of energy to the tissue site;

measuring a temperature change at the tissue site over a period of time;
analyzing the temperature change to determine a tissue characterization;
subsequent to the tissue characterization, ablating the tissue using the ablating element with a second quantity of energy based on the tissue characterization;
the ablating step being carried out with input from at least one variable from a list of variables consisting of presence of fat, amount of fat, flow rate of blood, tissue thickness and temperature of blood.

69. (New) The method of claim 68, wherein:
the analyzing and ablating steps are controlled by a control system; and
the ablating step being carried out by maintaining the epicardial near surface temperature at a temperature of 0-80°C during the ablating step.
70. (New) The method of claim 68, wherein:
the method further comprising the step of changing the temperature of the tissue with the ablating element.
71. (New) The method of claim 68, wherein:
the ablating step is carried out using the results of the measuring step to approximate when the far surface achieves a target temperature.
72. (New) The method of claim 68, wherein:
the ablating step is carried out with a plurality of ablating elements, wherein no more than 50% of the ablating elements are activated at one time.
73. (New) The method of claim 68, wherein:
the providing step is carried out with the device having a plurality of suction wells, at least one of the ablating elements being positioned in each of the suction wells.